

PB# 05-28

**Callahan/Creagan
(LLC)**

20-2-17.22 & 19

TOWN OF NEW WINDSOR
PLANNING BOARD
APPROVED COPY
DATE: 03-29-06



Sent to O.C. Planning 9/19/05

**TOWN OF NEW WINDSOR
PLANNING BOARD, ZONING BOARD AND
ENGINEER'S OFFICE**

**845-563-4615
FAX: 845-563-4689**

MEMO

**TO: J. TODD WILEY, ASSESSOR
MICHAEL BLYTHE, ATTORNEY FOR THE TOWN
MICHAEL BABCOCK, BUILDING INSPECTOR
WILLIAM HILDRETH, LS - SURVEY FOR THE PROJECT**

**FROM: MYRA MASON, SECRETARY TO THE
ZONING BOARD, PLANNING BOARD & ENGINEER**

DATE: SEPTEMBER 18, 2006

**SUBJECT: LETTER FROM REAL PROPERTY TAX SERVICE AGENCY
RE: CALLAHAN/CREAGAN TAX MAP #20-3-17.22**

On this date, I spoke to Lisa Raneri of Real Property Tax Service Agency in Goshen. I explained to her that this was a Lot Line Change that was reviewed and approved by the Planning Board in March of 2006. Upon further discussion it was determined that the deeds had been filed a few months later causing some confusion in the County Tax Map Division.

After our conversation, it was determined that the map and deeds are correct as they are filed and no further action is necessary at this time by the Town of New Windsor.

If you have any questions, please feel free to contact me.

MLM



Edward A. Diana
County Executive

REAL PROPERTY TAX SERVICE AGENCY

John I. McCarey - Director
124 Main Street
Goshen, New York 10924
(845) 291-2498

05-28

September 6, 2006

Genaro Argenio, Chairperson
Town of New Windsor Planning Board
555 Union Ave
New Windsor NY 12553

Dear Chairperson:

As per the Town's request to be notified of property being split by deed, we are attaching a map and deed reflecting this split. Deed 12236/1597 splits 20-2-17.22 into two parcels now known as 20-2-96 and 20-2-97. If everything is acceptable, we will uphold this change.

If you have any questions or concerns, please contact me at 845-291-2496.

Sincerely,

Lisa Raneri
Tax Map Technician

Copy: J Todd Wiley, Assessor
Michael Babcock, Building Inspector
Michael Blythe, Town Attorney
John McCarey
Eric Ruscher

Spoke to Lisa Raneri

NOTICE OF TAX MAP REVISION

CHANGE.

SUBDIVISION ☐

120 X 155.6 X IR

I BELIEVE THE INTENT IS TO BE COMBINED WITH 20-2-19 (CALLAHAN)



MAKE CHANGES AS SHOWN IN RED

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

SECTION 20 BLOCK 2 LOT 17.22

RECORD AND RETURN TO:
(name and address)



Phyllis Creagan

TO

Patrick M. Callahan

Dan Bloom, Esq.
P.O. Box 4323
New Windsor, NY 12553

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

PROPERTY LOCATION

2089 BLOOMING GROVE (TN)
2001 WASHINGTONVILLE (VLG)
2289 CHESTER (TN)
2201 CHESTER (VLG)
2489 CORNWALL (TN)
2401 CORNWALL (VLG)
2600 CRAWFORD (TN)
2800 DEER PARK (TN)
3089 GOSHEN (TN)
3001 GOSHEN (VLG)
3003 FLORIDA (VLG)
3005 CHESTER (VLG)
3200 GREENVILLE (TN)
3489 HAMPTONBURGH (TN)
3401 MAYBROOK (VLG)
3689 HIGHLANDS (TN)
3601 HIGHLAND FALLS (VLG)
3889 MINISINK (TN)
3801 UNIONVILLE (VLG)
4089 MONROE (TN)
4001 MONROE (VLG)
4003 HARRIMAN (VLG)
4005 KIRYAS JOEL (VLG)

4289 MONTGOMERY (TN)
4201 MAYBROOK (VLG)
4203 MONTGOMERY (VLG)
4285 WALDEN (VLG)
4489 MOUNT HOPE (TN)
4401 OTISVILLE (VLG)
4600 NEWBURGH (TN)
4800 NEW WINDSOR (TN)
5089 TUXEDO (TN)
5001 TUXEDO PARK (VLG)
5200 WALLKILL (TN)
5489 WARWICK (TN)
5401 FLORIDA (VLG)
5403 GREENWOOD LAKE (VLG)
5405 WARWICK (VLG)
5600 WAWAYANDA (TN)
5889 WOODBURY (TN)
5801 HARRIMAN (VLG)

CITIES

0900 MIDDLETOWN
1100 NEWBURGH
1300 PORT JERVIS
9999 HOLD

NO PAGES 4 CROSS REF.
CERT. COPY ADD'L X-REF.
MAP FGS.

PAYMENT TYPE: CHECK ☒
CASH ☐
CHARGE ☐
NO FEE ☐

Taxable
CONSIDERATION \$ 15,000.00

TAX EXEMPT ☐
MORTGAGE AMT. \$ DATE

MORTGAGE TAX TYPE:

(A) COMMERCIAL/FULL 1%
(B) 1 OR 2 FAMILY
(C) UNDER \$10,000
(D) EXEMPT
(E) 3 TO 6 UNITS
(F) NAT. PERSON/CR. UNION
(G) NAT. PER. CLUN/1 OR 2
(H) CONDO

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

RECEIVED FROM: Horizon

RECORDED/FILED
08/22/2006/ 07:59:19
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY

FILE # 20060091196
DEED C / BK 12236 PG 1597
RECORDING FEES 207.00
TTX# 000685 T TAX 60.00
Receipt# 620537 pete

Now

ORANGE COUNTY OFFICE OF REAL PROPERTY
SAME AS 20-2-97 DATE 9/4/06
SEE REVISION SHEET ☒ TECH LR
OTHER



**CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT
THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY**

THIS INDENTURE, made the 25th day of July, two thousand six

BETWEEN Phyllis Creagan, surviving tenant by the entirety, who resides at
6 Walnut Street, Cornwall, NY 12518, party of the first part,

and

Patrick M. Callahan, who resides at 12 Fernandez Avenue, New
Windsor, NY, 12553, party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten and No/100
(\$10.00) Dollars lawful money of the United States, and other good and valuable
consideration paid by the party of the second part, does hereby grant and release unto the
party of the second part, the heirs or successors and assigns of the party of the second
part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon
erected, situate, lying and being in the Town of New Windsor, County of Orange and State
of New York, described as follows:

See Schedule "A" attached.

Property: 18 Fernandez Avenue, New Windsor NY
SBL: 20-2-17.22

BEING the same premises conveyed by Charles E. Gillis & Lee A. Gillis to Phyllis Creagan,
by deed dated November 24, 1986 and recorded in the Orange County Clerk's Office on
November 25, 1986 in Liber 2613 of Deeds at Page 57.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to
any streets and roads abutting the above described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first
part in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second
part the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby and said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Phyllis Creagan
Phyllis Creagan

Phyllis Creagan

State of New York)
)
County of Orange) ss.:

On July 14, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Phyllis Creagan**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Lucille Evangelista
Notary Public, State of New York

Notary Public, State of New York

Record & Return to:
Dan Bloom, Esq.
P.O. Box 4323
New Windsor NY 12553
Title Co & Title #: Horizon Title Svces / O-13774

Lucille Fuenzalida
Notary Public, State of New York
No. 01E16095096
Qualified Orange County
Commission Expires December 23, 2006
Lucille Fuenzalida

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of New Windsor, Orange County, New York, being more particularly described as follows:

BEGINNING at a point in the southerly line of lands of the Grantor, said point being 124.41' as measured along said line in an easterly direction from its intersection with the easterly line of Fernandez Drive, running thence, the following courses:

1. Along a new lot line between lands of the Grantor and lands of the Grantee, North 53-24-50 East 125.27' to a point;
2. Along lands now or formerly Sandike and continuing along lands now of Petrocelli, South 52-13-00 East 90.00' to a point;
3. Along lands now or formerly Russo, South 39-02-00 West 122.32' to a point;
4. Along the division line between lands now or formerly of the Grantor and lands of the Grantee, North 51-26-00 West 121.09' to the point or place of BEGINNING.

Map Number 295-06 City New Windsor
Section 20 Block 2 Lot 17.22+ Town 1 Village 1

Title: Callahan, Patrick M +
Creggan, Phyllis

Dated: 2/28/2006 Filed: 4/24/2006

Approved by Genaro Aguirre
on Mar 29 2006

Record Owner Callahan, Patrick M +

Corbett, Kimberly A. + DONNA L. BENSON
Orange County Clerk

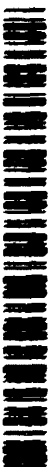
Creggan, Phyllis

1 sheet = \$ 10
+ 1 extra 3

05-28

\$13 total

RECORDED/FILED ORANGE COUNTY
BOOK 02006 PAGE 0295
04/24/2006/ 09:50:56
FILE NUMBER 20060044751
RECEIPT#567589 patti





MEMORANDUM

TO: Genero Argenio, Planning Board Chairman
CC: Myra Mason, Planning Board Secretary
FROM: Michael Blythe, Esq.
DATE: September 8, 2006
SUBJECT: Split by deed SBL 20-2-17.22

I received a note from RPTS indicating that the above parcel has been split by deed. See attached. Please confirm that this split was approved by the Planning Board.

MDB

Town of New Windsor

555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT **#327-2006**

04/21/2006

Callahan, Andrew
433 Jackson Avenue
New Windsor, NY 12553

Received \$ 150.00 for Planning Board Fees, on 04/21/2006. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PB [#]05-28

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 5-28

NAME: CALLAHAN / CREAGAN LL CHG. PA2005-489

APPLICANT: PATRICK CALLAHAN

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/08/2005	REC. CK. #156	PAID		200.00	
03/08/2006	P.B. ATTY. FEE	CHG	35.00		
03/08/2006	P.B. MINUTES	CHG	28.00		
04/12/2006	P.B. ENGINEER	CHG	257.10		
04/17/2006	REC. CK. #2438	PAID		120.10	
		TOTAL:	320.10	320.10	0.00

JK
4/21/06

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 5-28

NAME: CALLAHAN / CREAGAN LL CHG. PA2005-489

APPLICANT: PATRICK CALLAHAN

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
03/29/2006	PLANS STAMPED	APPROVED
03/08/2006	P.B. APPEARANCE	APPROVED
09/07/2005	WORK SHOP APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 5-28

NAME: CALLAHAN / CREAGAN LL CHG. PA2005-489

APPLICANT: PATRICK CALLAHAN

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/12/2006	LL CHG APPROVAL FEE	CHG	150.00		
04/17/2006	REC. CK. #2437	PAID		150.00	
		TOTAL:	150.00	150.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 5-28

NAME: CALLAHAN / CREAGAN LL CHG. PA2005-489

APPLICANT: PATRICK CALLAHAN

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	09/08/2005	EAF SUBMITTED	/ /	
ORIG	09/08/2005	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	09/08/2005	LEAD AGENCY DECLARED	03/08/2006	TOOK LA
ORIG	09/08/2005	DECLARATION (POS/NEG)	03/08/2006	DECL NEG DEC
ORIG	09/08/2005	SCHEDULE PUBLIC HEARING	/ /	
ORIG	09/08/2005	PUBLIC HEARING HELD	/ /	
ORIG	09/08/2005	WAIVE PUBLIC HEARING	03/08/2006	WAIVE PH
ORIG	09/08/2005	PRELIMINARY APPROVAL	/ /	
ORIG	09/08/2005		/ /	
ORIG	09/08/2005	LEAD AGENCY LETTER SENT	/ /	



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

OFFICE OF THE PLANNING BOARD

April 13, 2006

William Hildreth, LS
407 South Plank Road - Unit 3
Newburgh, NY 12550

SUBJECT: CALLAHAN/CREAGAN LL CHG (05-28)

Dear Bill:

Please find attached printouts of fees due for subject project.

Please contact your client, the applicant, and ask that payment be submitted in separate checks, payable to the Town of New Windsor, as follows:

Check #1 - Approval Fee.....	\$	150.00
Check #2 - Amount over Escrow posted.....	\$	120.10

Please note, these plans have been signed and will be released upon receipt of the above payments.

If you have any questions in this regard, please contact my office.

Very truly yours,

Myra L. Mason, Secretary To The
NEW WINDSOR PLANNING BOARD

MLM

FAXED

4-13-06 to Bill Hildreth

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/13/2006

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LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 5-28

NAME: CALLAHAN / CREAGAN LL CHG. PA2005-489
APPLICANT: PATRICK CALLAHAN

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/12/2006	LL CHG APPROVAL FEE	CHG	150.00		
			-----	-----	-----
		TOTAL:	150.00	0.00	150.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/13/2006

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 5-28

NAME: CALLAHAN / CREAGAN LL CHG. PA2005-489

APPLICANT: PATRICK CALLAHAN

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/08/2005	REC. CK. #156	PAID		200.00	
03/08/2006	P.B. ATTY. FEE	CHG	35.00		
03/08/2006	P.B. MINUTES	CHG	28.00		
04/12/2006	P.B. ENGINEER	CHG	257.10		
			-----	-----	-----
		TOTAL:	320.10	200.00	120.10

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIS - TOWN OF NEW WINDSOR

TASK: 5- 28

FOR WORK DONE PRIOR TO: 04/13/2006

TASK-NO	REC	DATE	TEAM	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	EXP.	DOLLARS BILLED	BALANCE
5-28	273290	09/07/05	TIME	MJE	WE CALLAHAN-CHEGIAN	99.00	0.40	39.60			
5-28	274114	09/13/05	TIME	MJE	MC CALLAHAN CHEGIAN L/L	99.00	0.50	49.50			
5-28	274115	09/13/05	TIME	MJE	MC OGDEN NEW CALLAHAN CR	99.00	0.40	39.60			
5-28	273953	09/14/05	TIME	MJE	MM Callahan LL >2BA	99.00	0.10	9.90			
5-28	278351	10/19/05	TIME	MJE	WE CALLAHAN CHEGIAN 2BA	99.00	0.50	49.50			
								188.10			
5-28	280120	11/09/05			BILL 05-1526					-188.10	
										-188.10	
5-28	295680	03/07/06	TIME	MJE	MR CALLAHAN CHEGIAN L/L	115.00	0.30	34.50			
5-28	294912	03/08/06	TIME	MJE	MM p/h wvd neg APFD	115.00	0.10	11.50			
5-28	295644	03/09/06	TIME	MJE	PM CALLAHAN LL/INT SUFT	115.00	0.20	23.00			
								69.00			
5-28	297456	03/29/06			BILL 06-763					-69.00	
										-69.00	
					TASK TOTAL			257.10		-257.10	0.00
									0.00		
					GRAND TOTAL			257.10		-257.10	0.00
									0.00		

AT MYRA

CALLAHAN/CREAGAN_LOT_LINE_CHANGE_(05-28)

Mr. William Hildreth appeared before the board for this proposal.

MR. ARGENIO: This application proposes conveyance of approximately .29 acres from lot 17.22 to lot 19, the plan was previously reviewed at the 14 September, 2005 planning board meeting. Mr. Hildreth?

MR. HILDRETH: Okay, so far you're correct this plan was referred to the zoning board for bulk variances for which they held a public hearing on the 20th of February and the variances were granted, those variances were for lot area and rear yard setback on the Creagan lot which is the larger of the two, that's an unused back yard area, it's been undeveloped since the Creagan's bought it in '86, just going to be attached to the Callahan lot and basically it's a swap of back yards.

MR. ARGENIO: Where is this?

MR. HILDRETH: Fernandez Drive is between Union Avenue and Silver Spring Road, if you look at upper right-hand corner you can see the location plan, it's Union Avenue which is east of 94 and west of 9W.

MR. ARGENIO: I think I'm with you.

MR. HILDRETH: This is, if you didn't know this was here, you wouldn't know it was here, if I can be silly for a moment, very quiet, little neighborhood, small houses, small lots and again I selected this tax map as a location plan for a reason. You can see that what we're doing is not out of line with the other lots, it's an older section of New Windsor, but in any event we received our variances from the ZBA, for the board's information there was 67 notices sent out, no response, nobody showed up. This board was going to refer this

to Orange County Planning back in September, I don't know.

MR. ARGENIO: It went to Orange County Planning and came back as local determination.

MR. HILDRETH: Okay, that's good. Other than that, I don't think the board took any action on SEQRA or anything else.

MR. ARGENIO: So what you're doing you're taking a lot line off the lower third of the lot and you're moving it to a diagonal position and you're taking one large lot and one small lot and you're making two medium size lots, is that close?

MR. HILDRETH: Yeah, almost ended up the same size but actually a little closer to the median, the Callahan lot when you're all done is going to be slightly smaller than the Creagan lot was to begin with.

MR. ARGENIO: Which one is the Callahan lot?

MR. HILDRETH: Faces Fernandez, which is the lower one. It's important that you understand where the lines are and where they're going cause--

MR. ARGENIO: Bill, do you have anything else with that?

MR. HILDRETH: No, that's it.

MR. MINUTA: Not creating any nonconformances?

MR. HILDRETH: Yes, we got variances, the ones we're creating were rear yard and lot area and we got variances for them.

MR. SCHLESINGER: You want to address the public hearing bullet? Being that they didn't have a very

good turnout at the ZBA and I don't see the necessity for a public hearing.

MR. ARGENIO: I think it's a waste of time too, what do you guys think? I'll accept a motion that we waive that at our discretionary judgment.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that we waive the public hearing for the Callahan/Creagan lot line change.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Who else has comment on this? I think this doesn't get much cleaner. He has his variances, no comments at the zoning board, we need to address SEQRA. I'll accept a motion for negative dec.

MR. MINUTA: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that we declare a negative dec on the Callahan/Creagan lot lane change. No further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE

March 8, 2006

39

MR. ARGENIO AYE

MR. ARGENIO: Guys, I don't think there's anything else here, at least I can't see anything. Does anybody have anything additional to add?

MR. SCHLESINGER: Make a motion to accept the lot line change for the Callahan/Creagan application.

MR. MINUTA: Second it.

MR. ARGENIO: Motion has been made and seconded that we grant final approval for the Callahan/Creagan lot line change on Fernandez Drive. No further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE

33 AIRPORT CENTER DRIVE

SUITE 202

NEW WINDSOR, NEW YORK 12553

(845) 567-3100

FAX: (845) 567-3232

E-MAIL: MHENT@MHEPC.COM

WRITER'S E-MAIL ADDRESS:

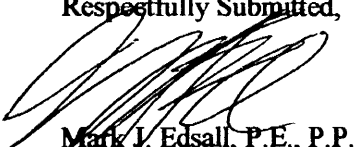
MJE@MHEPC.COM

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: CALLAHAN/CREEGAN LOT LINE CHANGE
PROJECT LOCATION: FERNANDEZ DRIVE
SECTION 20 - BLOCK 2 - LOTS 17.22 & 19
PROJECT NUMBER: 05-28
DATE: 8 MARCH 2006
DESCRIPTION: THE APPLICATION PROPOSES THE CONVEYANCE OF APPROXIMATELY
0.29 ACRES FROM LOT 17.22 TO LOT 19. THE PLAN WAS PREVIOUSLY
REVIEWED AT THE 14 SEPTEMBER 2005 MEETING.

1. The properties are located in the R-4 zoning district of the Town. The lot line proposed creates non-conformities on Lot 17.22 and, as such, the application was referred to the Zoning Board of Appeals. The plan indicates the variances were granted by the ZBA pursuant to a public hearing on 2-27-06. A record of the decision should be on file with the Planning Board.
2. The application was forwarded to the Orange County Planning Dept. on 9-14-05. The returned the same "Local Determination".
3. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision (in form of lot line change), or if same can be waived per Section 257-13 (A) of the Subdivision Regulations.
4. The Planning Board may wish to classify this action as an "unlisted action" under SEQRA, and consider a "negative declaration" of environmental significance, based on the information presented and reviewed.
5. I am aware of no reason why approval should not be granted.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW05-28-08Mar06.doc

REGIONAL OFFICES

- 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •



PROJECT: Callahan / Creager P.B. # 05-28

NEGATIVE DEC:

M) J S) NEIL VOTE: A 5 N
CARRIED: Y ✓ N

PUBLIC HEARING: _____ **WAIVED:** K **CLOSED:** _____

RETURN TO WORK SHOP: Y__N__

NEED NEW PLANS: Y N ✓

[illegible]



CC: BUILDING DEPT. ☐
TOWN CLERK ☐

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
Regular Session - JANUARY 9, 2006

AGENDA

7:30 p.m. - Roll Call

Motion to accept minutes of December 12, 2005 meetings as written. *APPROVED*

PRELIMINARY MEETINGS:

- SET UP FOR P/H* 1. **VASAL MONCZYN (06-01)** Request for 28 feet Rear Yard Setback for existing attached rear deck (G-5) at 170 Shaw Road in an R-1 Zone (52-1-48)
- SET UP FOR P/H* 2. **ERICA GRASSI (06-02)** Request for 13.3 feet Side Yard Setback for proposed addition to existing single-family dwelling (300-10(6) at 64 Merline Avenue in an R-4 Zone 15-4-3
- SET UP FOR P/H* 3. **CALLAHAN/CREAGAN (06-03)** Request for 26,777 Minimum Lot Area; and 17.3 feet Rear Yard Setback as referred from Planning Board for proposed Lot Line Change at Fernandez Drive (20-2-17.22 & 19) **PLANNING BOARD # 05-28**
- SET UP FOR P/H* 4. **EDWARD JACOPINO (d/b/a Faricellia's Market) (06-04)** Request for Use Variance for proposed Multi-family/Multiple Dwelling Use (increase in non-conformity); and Parking Variances for off-street parking of 5 spaces as referred from Planning Board for site at 238 Walsh Avenue in an R-4 Zone (13-2-17) **PLANNING BOARD # 05-12**

PUBLIC HEARINGS:

- APPROVED* 5. **JOHN LEWIS (05-74)** Request for Use Variance to build a single-family residence in a PI zone at 1113 River Road (20-2-49)

- APPROVED* 6. **LEWIS EVANGELISTO (for Detoro) (05-71)** Request for

GARAGE: .7 ft. Side Yard Setback and; 1.2 ft. Rear Yard Setback
SHED: 7.5 ft. Side Yard Setback
HOUSE: 17.5 ft. Front Yard Setback and; 1.5 ft. Side Yard Setback

For existing garage, shed and house at 45 Merline Avenue in an R-4 Zone (13-12-14.1)

- APPROVED* 7. **ROBERT MCKNIGHT, JR. (05-73)** Request for 4 ft. Side Yard Setback for Proposed 24' X 24' detached garage at 51 Birchwood Drive in an R-4 Zone (40-1-1)
- NO SHOW* 8. **JORG FRISCHKNECHT (05-72)** Request for 7 ft. Maximum Building Ht. for proposed detached two-car garage at 2 Oak Ridge Drive in an R-4 Zone (16-1-10)

FORMAL DECISIONS: — *APPROVED*

PUCCIO 05-43
MOWBRAY 05-52
MCGOVERN 05-44
THOMPSON 05-46

GUALTIERI 05-57
NADAS 05-47
SCHILLER 05-48
GARCIA 05-51

MANDATO 05-45
PATRIOT PLAZA 05-53
QUICK CHEK 05-54

**OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, NY**

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION

PLANNING BOARD FILE NUMBER: 05-28

DATE: 19 OCTOBER 2005

APPLICANT:

**PATRICK CALLAHAN
12 FERNANDEZ DRIVE
NEW WINDSOR, NY 12553**

*#1 ZBA 1-9-06
SET UP FOR P/H*

PLEASE TAKE NOTICE THAT YOUR APPLICATION:

DATED: 9-6-05

FOR: LOT LINE CHANGE

LOCATED AT: 12 FERNANDEZ DRIVE

ZONE: R-4

DESCRIPTION OF EXISTING SITE: SEC: 20 BLOCK: 2 LOT: 17.22 & 19

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

LOT AREA AND REAR SETBACK (LOT 17.22)

TOWN OF NEW WINDSOR CODE: **BULK TABLES**

Michael Babcock

MICHAEL BABCOCK,
BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION - Continued

REQUIREMENTS

P.B. # **05-28**

ZONE: **R-4**

USE: **SFR**

	REQUIRED	PROPOSED	VARIANCE REQUESTED	
MIN. LOT AREA	43,560	16,783	22,524	26,777** * *
MIN. LOT WIDTH	125	119.5*	123.9*	* *
REQUIRED FRONT YARD	45	46.8*	14.3*	* *
REQUIRED SIDE YARD	20	24.3	35.7	---
REQUIRED TOTAL SIDE YARD	40	68.9	73.9	---
REQUIRED REAR YARD	50	32.7	154.2	17.3** ---
REQUIRED FRONTAGE	70	59*	124.4	* ---
MAX. BLDG. HT.	35	35	35	----
FLOOR AREA RATIO	NA	----	----	----
MIN. LIVABLE AREA	1,200	1,250	1,390	----
DEVELOPMENTAL COVERAGE	20	15	9	----
O/S PARKING SPACES	----	----	----	----

* Pre-Existing Non-Conforming

** Variance Required

PLEASE COMPLETE THE ENCLOSED ZONING BOARD APPLICATION AND RETURN TO THE ZONING BOARD SECRETARY AS INSTRUCTED IN THE APPLICATION PACKAGE. YOU WILL THEN BE PLACED ON THE NEXT AVAILABLE AGENDA FOR THE ZONING BOARD OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
Regular Session - Date: FEBRUARY 27, 2006
AGENDA

7:30 p.m. - Roll Call

NEED FILE FOR # 5 FROM PLANNING BOARD

Motion to accept minutes of January 9th and January 23rd, 2006 meetings as written.

PRELIMINARY MEETINGS:

SET UP FOR P/H 1. **WILLIAM WALKER (for Craig Filippini) (06-06)** Request for 2 ft. Rear Yard Setback for existing rear deck at 3 Park Road in an R-4 Zone (58-1-22)

SET UP FOR P/H 2. **STEVEN PONESSE & DAWN MARIE MULDER (06-09)** Request for:

AREA VARIANCES

12 ft. Side Yard Setback and;
14 ft. Rear Yard Setback and;
15% Developmental Coverage

INTERPRETATION

Single Family Home with two kitchens

All at 33 Continental Drive in an R-4 Zone (45-2-15)

PUBLIC HEARINGS:

APPROVED 3. **JORG FRISCHKNECHT (05-72)** Request for 7 ft. Maximum Building Ht. for proposed detached two-car garage at 2 Oak Ridge Drive in an R-4 Zone (16-1-10)

APPROVED 4. **ERICA GRASSI (06-02)** Request for 13.3 feet Side Yard Setback for proposed addition to existing single-family dwelling (300-10(6) at 64 Merline Avenue in an R-4 Zone 15-4-3

APPROVED 5. **CALLAHAN/CREAGAN (06-03)** Request for 26,777 Minimum Lot Area; and 17.3 feet Rear Yard Setback as referred from Planning Board for proposed Lot Line Change at Fernandez Drive (20-2-17.22 & 19)

APPROVED 6. **XIAOJL ZHANG (06-05)** Request for 8 ft. Side Yard Setback for proposed attached garage at 14 Truex Drive in an R-4 Zone (70-1-15.8)

FORMAL DECISIONS:

MT. AIRY ESTATES (05-55)
MT. AIRY ESTATES (05-56)
ANTHONY DAMLANO (05-59)

JOSEPH BONURA (05-50)
JEFFREY EHLERS (05-49)
CUMBERLAND FARMS (05-58)

APPROVED

OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION

PLANNING BOARD FILE NUMBER: 05-28 DATE: 19 Oct 05

APPLICANT: Patrick Callahan
12 Fernandez Dr
new ny

PLEASE TAKE NOTICE THAT YOUR APPLICATION:

DATED: 9-6-05

FOR: SUBDIVISION (L/L)

LOCATED AT: Fernandez Dr.

ZONE: R-4

DESCRIPTION OF EXISTING SITE: SEC: 20 BLOCK: 2 LOT: 17.22 & 19

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

Lot Area and Rear Setback (Lot 17.22)

TOWN OF NEW WINDSOR CODE: (Bulk Table)

MJE
MICHAEL BABCOCK,
BUILDING INSPECTOR



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE
33 Airport Center Drive
Suite 202
New Windsor, New York 12553

(845) 567-3100
fax: (845) 567-3232
e-mail: mheny@mhepc.com

Writer's e-mail address:
mje@mhepc.com

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: CALLAHAN/CREEGAN LOT LINE CHANGE
PROJECT LOCATION: FERNANDEZ DRIVE
SECTION 20 – BLOCK 2 – LOTS 17.22 & 19
PROJECT NUMBER: 05-28
DATE: 14 SEPTEMBER 2005
DESCRIPTION: THE APPLICATION PROPOSES THE CONVEYANCE OF
APPROXIMATELY 0.29 ACRES FROM LOT 17.22 TO LOT 19.

1. The properties are located in the R-4 zoning district of the Town. The required bulk information shown on the plan is correct for the zone and use. Based on the lot line as proposed, non-conformities will be created on Lot 17.22. As such, I recommend that the Planning Board deem this application incomplete, and forward this application to the Zoning Board of Appeals for necessary action. It appears that variances for Lot Area and Rear Setback are required.
2. The project is within a 500-foot distance of Union Avenue, a County Highway. In accordance with the requirements of New York State General Municipal Law (GML 239), I will refer this application to the Orange County Department of Planning, and forward a copy of the referral to the ZBA.
3. Once the applicant returns from the ZBA, we will continue our review.

Respectfully Submitted,


Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW05-28-14Sept05.doc

REGIONAL OFFICES

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

05-28



COUNTY OF ORANGE

EDWARD A. DIANA
COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

124 MAIN STREET
GOSHEN, NEW YORK 10924-2124
TEL: (845)291-2318 FAX: (845)291-2533
www.orangecountygov.com
planning@co.orange.ny.us

DAVID E. CHURCH, AICP
COMMISSIONER

ORANGE COUNTY DEPARTMENT OF PLANNING
239 L, M OR N REPORT

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by: New Windsor Planning Board

Reference No.: NWT17-05N
Parcel I.D.: 20-2-17.22: & 19

Applicant: Phyllis Creagan & Patrick Callahan

Proposed Action: Lot Line Change

State, County, Inter-municipal Basis for Review: Within 500 ft of Co Rte 69

Comments: The Department has received the above-application for the lot line change between the above properties, and offer the following:

- The proposed change will have no major impact upon State or County facilities nor have any significant inter-municipal issues.
- It is also consistent with the County Comprehensive Plan and local laws.
- Having no further comments, from a County perspective, the Department has no further comments and recommends that the Board proceed with its decision-making review process.

Related Reviews and Permits:

County Recommendation:

Local Determination

Disapproved

Approved

Approved subject to the following modifications and/or conditions:

Date: September 26, 2005

Reviewed By: Kathy V. Murphy, Planner


David E. Church, AICP
Commissioner of Planning

ORANGE COUNTY DEPARTMENT OF PLANNING

124 Main Street
Goshen, NY 10924-2124

APPLICATION FOR MANDATORY COUNTY REVIEW OF LOCAL PLANNING ACTION

(Variances, Zone Changes, Special Permits, Subdivisions, Site Plans)

Local File No. 55-28 (Please include this number on any correspondence)

1. Municipality Town of New Windsor Public Hearing Date: not determined

City, Town or Village Board _____ Planning Board X Zoning Board X

2. Owner: Name: 17.22-Phyllis Creagan; 19 Patrick Callahan
Address: 18 Fernandez Dr.; 12 Fernandez Drive; NW

3. Applicant * Name: same
Address: _____

***If applicant is owner, leave blank**

4. Location of Site: Fernandez Drive (cross streets Quassaick Dr/Union Ave)
(Street or highway, plus nearest intersection)

Tax Map Identification: Section: 20 Block: 2 Lot: 17.22 & 19

Present Zoning District: R-4 Size of Parcel: 0.68/0.22 Acres

5. Type of Review:

**Subdivision

Zone Change: From = _____ To: = _____

Zoning Amendment: To Section _____

**Subdivision: Number of Lots/Units (lot line change)

***Site Plan: Use _____

Date: 9/14/05

Signature & Title: Mark J. Edsall, P.E.
Mark J. Edsall, P.E.,
Planning Board Engineer

September 14, 2005

4

ZBA_REFERRAL:

CALLAHAN/CREAGAN_LOT_LINE_CHANGE_(05--28)

MR. PETRO: Next ZBA referral Callahan/Creagan lot line change, proposed residential lot line change represented by Hildreth.

Mr. William Hildreth appeared before the board for this proposal.

MR. PETRO: Application proposes conveyance of approximately .29 acres from lot 17.22 to lot 19, R-4 zone district of the Town, required bulk information shown on the plan is correct for the zone and use based on the lot lines proposed, non-conformance will be created on lot 17.22, as such, I recommend the planning board deem this application incomplete and forward this application to the ZBA. Deemed incomplete?

MR. EDSALL: Yes.

MR. PETRO: Appears that a variance for lot area and rear setback are required. Project is within 400 foot of Union Avenue and county highway, this has to go to Orange County Department of Planning, forward a copy to the ZBA. Why don't you show us quickly and we'll look at it?

MR. HILDRETH: That's pretty much it in a nutshell. What I want to point out to the board this is a case I'll make to the ZBA just so you understand the original lot from which this parcel is coming out is the big box on the top parcel to which it's going to be attached, smaller box southeast corner and that result the net result is the size of these lots after the lot line change are still better, not by much but better than most of the ones in the surrounding area and all the ones that they touch. So what the two neighbors are trying to do is not out of line with the

neighborhood. The area being transferred is unused back yard, the people that have lived here haven't used the edge of the lawn which I've shown because that was how they decided what they wanted to transfer, so it's basically vacant land unused by this piece. Callahan is going to pick it up, going to become their back yard instead of the Creagan's back yard, the variances we need are mostly because of the change in zoning. We're creating two non-conforming variance requirements, one is the rear yard and the Creagan lot and the other one was the lot area we're making it smaller so we're creating those two, the rest of the variances we need are either pre-existing or we're actually making them better.

MR. PETRO: Does anybody have a problem conceptually? We'll send them to the ZBA for the necessary variance. Any comments?

MR. ARGENIO: I'll make a motion that we deem this application incomplete.

MR. SCHLESINGER: I'll second it. And do you want to refer it to the ZBA?

MR. PETRO: It's going.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board deem this application incomplete, therefore, you will be going to the New Windsor Zoning Board for the necessary variances. If you're successful and receive those variances, place them on the plan, you can then appear before this board for further review.

MR. HILDRETH: When does it get referred to the Orange County Planning?

September 14, 2005

6

MR. PETRO: Sometime in the future.

MR. HILDRETH: Not at this juncture, okay.

MR. EDSALL: Tomorrow, we've already got the form done.

MR. HILDRETH: Great, okay, that was it. Thank you.
I'll be back I hope.



PROJECT: Callstach / Creagan L.L. Chg. P.B. # 05-28

NEGATIVE DEC:

M)____S)____VOTE: A____N____
CARRIED: Y____N____

Send to Z.B.A.

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#879-2005

09/13/2005

Callahan, Patrick M. *P.B. # 05-28*

Received \$ 75.00 for Planning Board Fees, on 09/13/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/12/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 5-28

NAME: CALLAHAN / CREAGAN LL CHG. PA2005-489

APPLICANT: PATRICK CALLAHAN

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/08/2005	REC. CK. #156	PAID		200.00	
		TOTAL:	0.00	200.00	-200.00

[Handwritten signature]
9/13/05



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

☐ Main Office
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mhenry@mhepc.com

☐ Regional Office
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@mhepc.com

Writer's E-mail Address:
mje@mhepc.com

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN / VILLAGE OF: New Windsor

P/B APP. NO.: 05-28

WORK SESSION DATE: 7 Sept 05

PROJECT: NEW X OLD

REAPPEARANCE AT W/S REQUESTED: NO

RESUB. REQ'D: Full App

PROJECT NAME: Pat Callahan / Cresson 46

REPRESENTATIVES PRESENT: Bill Hildreth

MUNICIPAL REPS PRESENT:

BLDG INSP. _____
ENGINEER X
P/B CHMN _____

FIRE INSP. _____
PLANNER _____
OTHER _____

ITEMS DISCUSSED: Don Kreegan's mother

STND CHECKLIST:

PROJECT TYPE

DRAINAGE _____

SITE PLAN

DUMPSTER _____

SPEC PERMIT

SCREENING _____

LL CHG.

LIGHTING _____

SUBDIVISION

(Streetlights)

LANDSCAPING _____

OTHER

BLACKTOP _____

ROADWAYS _____

APPROVAL BOX _____

PROJECT STATUS:

ZBA Referral: X Y _____ N

Ready For Meeting X Y _____ N

Recommended Mtg Date 9/14

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

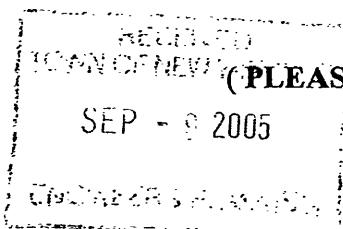
Subdivision _____ Lot Line Change ☒ Site Plan _____ Special Permit _____

Tax Map Designation: Sec. 20 Block 2 Lots 17.22 AND 19

BUILDING DEPARTMENT PERMIT NUMBER PA 2005 - 489

1. Name of Project CALLAHAN / CREAGAN LOT LINE CHANGE
2. Owner of Record LOT 17.22 PHYLLIS CREAGAN Phone 561-0680
LOT 19 PATRICK CALLAHAN
Address: LOT 17.22 18 FERNANDEZ DRIVE NEW WINDSOR N.Y. 12553
LOT 19 12 FERNANDEZ DRIVE NEW WINDSOR N.Y. 12553
(Street Name & Number) (Post Office) (State) (Zip)
3. Name of Applicant PATRICK CALLAHAN Phone 561-0680
Address: 12 FERNANDEZ DRIVE NEW WINDSOR N.Y. 12553
(Street Name & Number) (Post Office) (State) (Zip)
4. Person Preparing Plan WILLIAM B. HILDRETH L.S. Phone 566-6650
Address: 407 SOUTH PLANK ROAD UNIT 3 NEWBURGH N.Y. 12550
(Street Name & Number) (Post Office) (State) (Zip)
5. Attorney DANIEL J. BLOOM, ESQ. Phone 561-6920
Address 530 BLOOMING GROVE TURNPIKE NEW WINDSOR N.Y. 12553
(Street Name & Number) (Post Office) (State) (Zip)
6. Person to be notified to appear at Planning Board meeting:
WILLIAM B. HILDRETH, L.S. 566-6650 566-6693
(Name) (Phone) (fax)
7. Project Location: On the NORTHEAST side of FERNANDEZ DRIVE
(Direction) (Street)
8. Project Data: Acreage 0.9 Zone R-4(A-6) School Dist. NBG

PAGE 1 OF 2



(PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)

05-28

AGENT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

PATRICK CALLAHAN, deposes and says that he resides
(OWNER)
at 12 FERNANDEZ DRIVE in the County of ORANGE
(OWNER'S ADDRESS)
and State of NEW YORK and that he is the owner of property tax map
(Sec. 20 Block 2 Lot 19)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in
the foregoing application and that he designates:

(Agent Name & Address)

WILLIAM B. HILDRETH, L.S. 407 SOUTH PLANK ROAD UNIT 3 NEWBURGH, N.Y.
(Name & Address of Professional Representative of Owner and/or Agent) 12550

as his agent to make the attached application.

**THIS DESIGNATION SHALL BE EFFECTIVE UNTIL WITHDRAWN BY THE OWNER OR
UNTIL TWO (2) YEARS FROM THE DATE AGREED TO, WHICHEVER IS SOONER.**

SWORN BEFORE ME THIS:

**

[Signature]
Owner's Signature (MUST BE NOTARIZED)

6 DAY OF September 2005

Agent's Signature (If Applicable)

[Signature]

NOTARY PUBLIC

DEBRAH A. SHIER
Notary Public, State of New York
Qualified in Orange County
Reg. # 01SH5042316
Commission Expires April 17, 10

William B. Hildreth

Professional Representative's Signature

**

PLEASE NOTE: ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

THIS PROXY SHALL BE VOID TWO (2) YEARS AFTER AGREED TO BY THE OWNER

SEP - 9 2005

05-28

AGENT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

PHYLLIS CREAGAN, deposes and says that he resides
(OWNER)
at 18 FERNANDEZ DRIVE in the County of ORANGE
(OWNER'S ADDRESS)
and State of NEW YORK and that he is the owner of property tax map
(Sec. 20 Block 2 Lot 17.22)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in
the foregoing application and that he designates:

(Agent Name & Address)

WILLIAM B. HILDRETH, L.S. 407 SOUTH PLANK ROAD UNIT 3 NEWBURGH, N.Y.
(Name & Address of Professional Representative of Owner and/or Agent) 1250

as ^{her} ~~his~~ agent to make the attached application.

**THIS DESIGNATION SHALL BE EFFECTIVE UNTIL WITHDRAWN BY THE OWNER OR
UNTIL TWO (2) YEARS FROM THE DATE AGREED TO, WHICH EVER IS SOONER.**

SWORN BEFORE ME THIS:

Phyllis Creagan
Owner's Signature (MUST BE NOTARIZED)

6 DAY OF September 2005

Agent's Signature (If Applicable)

Debrah A. Shier
NOTARY PUBLIC

DEBRAH A. SHIER
Notary Public, State of New York
Qualified in Orange County Professional Representative's Signature
Reg. # 01SH5042316
Commission Expires April 17, 1910 7/20/05

**** PLEASE NOTE: ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

THIS PROXY SHALL BE VOID TWO (2) YEARS AFTER AGREED TO BY THE OWNER

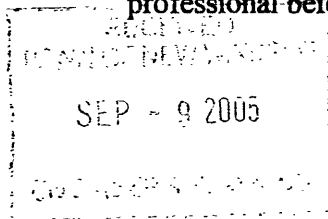
SEP - 9 2005

05-28

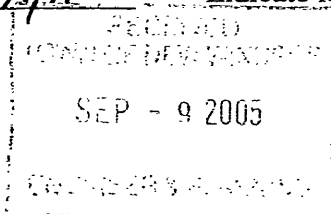
TOWN OF NEW WINDSOR PLANNING BOARD
SUBDIVISION/LOT LINE CHANGE CHECKLIST

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

1. ✓ Name and address of Applicant.
- * 2. ✓ Name and address of Owner.
3. ✓ ~~Subdivision~~ **LOT LINE CHANGE** name and location
4. ✓ **Provide 4" wide X 2" high box (IN THE LOWEST RIGHT CORNER OF THE PLAN) for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SUBDIVISION PLAN)**
5. ✓ Tax Map Data (Section, Block & Lot).
6. Location Map at a scale of 1" = 2,000 ft.
7. ✓ Zoning table showing what is required in the particular zone and what applicant is proposing.
8. N/A Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
9. ✓ Date of plat preparation and/or date of any plat revisions.
10. ✓ Scale the plat is drawn to and North arrow.
11. ✓ Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
12. ✓ Surveyor's certificate.
13. ✓ Surveyor's seal and signature.
14. ✓ Name of adjoining owners.
15. N/A Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- * 16. N/A Flood land boundaries.
17. N/A A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.



18. ✓ Final notes and bounds.
19. ✓ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
20. N/A Include existing or proposed easements.
21. ✓ Right-of-way widths.
22. N/A Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
23. ✓ Lot area (in square feet for each lot less than 2 acres).
24. N/A Number the lots including residual lot.
25. N/A Show any existing waterways.
- *26. N/A A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
27. ✓ Applicable note pertaining to owner's review and concurrence with plat together with owners signature.
28. N/A Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
29. ✓ Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
30. N/A Show all and proposed on-site A septic system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
31. N/A Provide A septic system design notes as required by the Town of New Windsor.
32. N/A Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
33. N/A Indicate percentage and direction of grade.
34. N/A Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
35. N/A Indicate location of street or area lighting (if required).



REFERRING TO QUESTION 9 ON THE APPLICATION FORM, IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. N/A Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
37. N/A A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY: William B. Hether 9/6/05
Licensed Professional Date

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PLEASE NOTE:

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THE APPLICANT OR THEIR REPRESENTATIVE IS RESPONSIBLE TO KEEP TRACK OF ALL EXPIRATION DATES FOR ANY AND ALL APPROVALS GRANTED TO A PROJECT. EXTENSIONS MUST BE APPLIED FOR PRIOR TO EXPIRATION DATE.

SEP - 9 2005

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <i>PATRICK CALLAHAN</i>	2. PROJECT NAME <i>CALLAHAN/CREAGAN LOT LINE CHANGE</i>
3. PROJECT LOCATION: Municipality <i>TOWN OF NEW WINDSOR</i> County <i>ORANGE</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>12 FERNANDEZ DRIVE - TAX MAP SECTION 20 BLOCK 2 LOT 19</i> <i>18 FERNANDEZ DRIVE - TAX MAP SECTION 20 BLOCK 2 LOT 17.22</i>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>LOT LINE CHANGE OF 12,834 S.F. FROM CREAGAN LOT (TAX LOT 17.22) TO CALLAHAN LOT (TAX LOT 19). CREAGAN LOT BECOMES 16,783 S.F. AND CALLAHAN LOT BECOMES 22,524 S.F.</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>0.9</i> acres Ultimately <i>0.9</i> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <i>PRE-EXISTING BULK NONCONFORMITIES WILL REQUIRE VARIANCES</i>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <i>TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS</i>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>N/A</i>	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <i>PATRICK CALLAHAN</i>	Date: <i>9/6/05</i>
Signature: <i>William B. Hildner, L.S. (PREPARER)</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

SEP - 9 2005

OVER

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05-28

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If yes, coordinate the review process and use the FULL EAF.</p>
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If No, a negative declaration may be superseded by another involved agency.</p>
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.</p> 	
<p>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly</p>	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

ECC/BS
"XX"

ATTACHMENTS

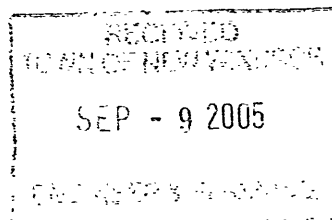
- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance ☒

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

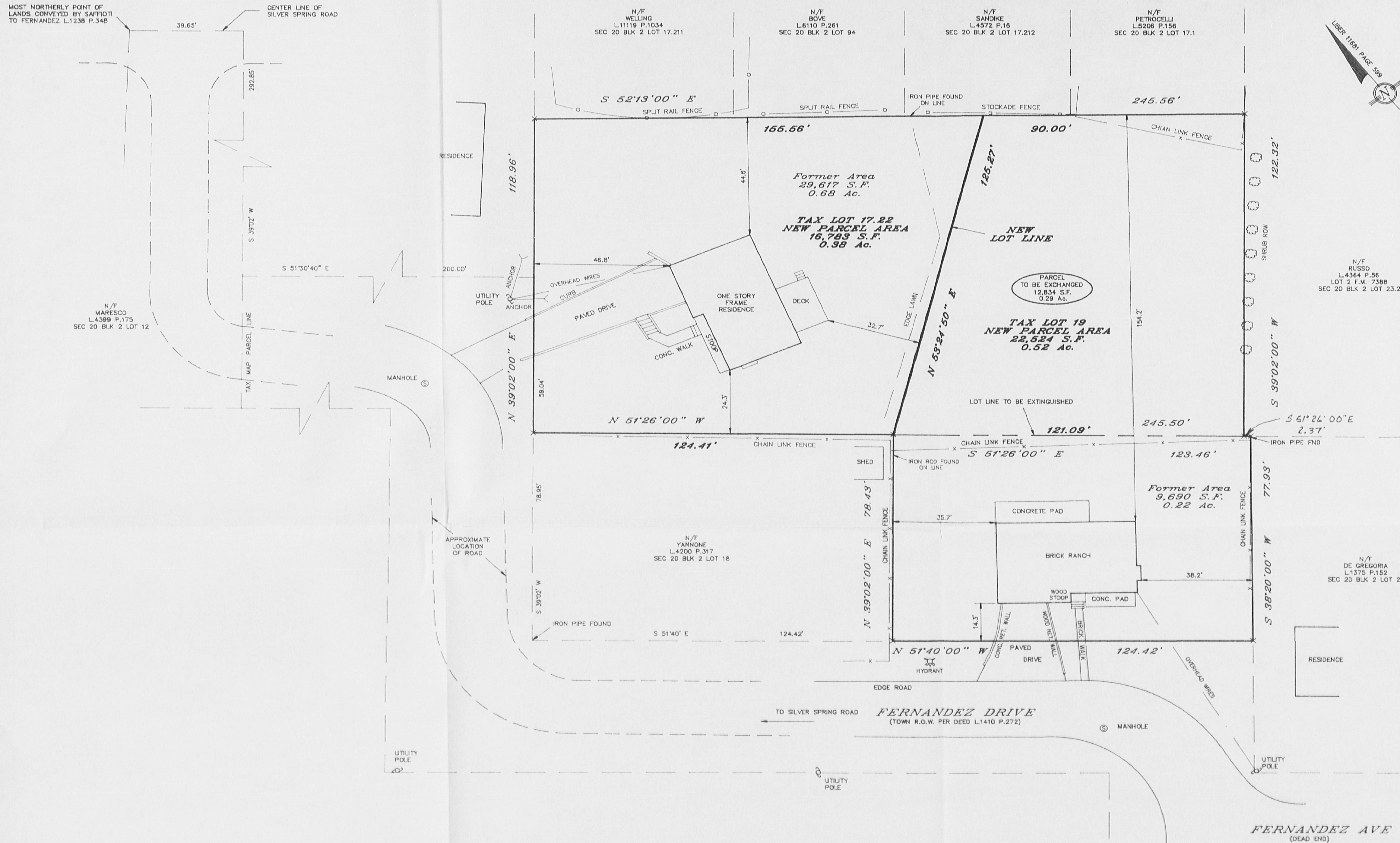
IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

THIS PROPERTY IS NOT IN A FLOOD ZONE.

William B. Hildreth



05-28



NOTES

1. BEING A LOT LINE CHANGE BETWEEN LANDS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS AS SECTION 20 BLOCK 2 LOT 17.22 AND LOT 19.
2. PROPERTY OWNER/APPLICANT (TAX LOT 19): PATRICK M. CALLAHAN AND KIMBERLY A. CORBETT
DEED OF RECORD: LIBER 11681 PAGE 599
NEW WINDSOR, NEW YORK 12553
3. PROPERTY OWNER (TAX LOT 17.22): PHYLLIS CREAGAN
DEED OF RECORD: LIBER 2618 PAGE 57
NEW WINDSOR, NEW YORK 12553
4. PROPERTY ZONE: R-4 (A-6) TOTAL PARCEL AREA: 0.90 ACRES
5. PARCELS SHOWN ARE SERVED BY MUNICIPAL WATER AND SEWER FACILITIES.
6. BOUNDARIES AND PHYSICAL FEATURES SHOWN HEREON RESULTED FROM FIELD SURVEYS PERFORMED UNDER THE SUPERVISION OF THE UNDERSIGNED, THE LATEST OF WHICH WAS COMPLETED ON 21 APRIL 2005.
7. OFFSETS SHOWN ARE AT RIGHT ANGLES TO THE PROPERTY LINES, UNLESS OTHERWISE NOTED.
8. NO CERTIFICATION IS MADE FOR ITEMS NOT VISIBLE AT GROUND SURFACE AT THE TIME OF SURVEY.
9. UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209(2) OF THE NEW YORK STATE EDUCATION LAW.

CERTIFICATION

I hereby certify that this plan resulted from an actual field survey of the indicated premises completed on 21 April 2005 performed in accordance with the code of practice adopted by the N.Y.S. Association of Professional Land Surveyors, Inc., and s, to the best of my knowledge and belief, correct.

CERTIFIED TO: Patrick M. Callahan
Kimberly A. Corbett
Phyllis Creagan

PLANNING BOARD APPROVAL

APPROVAL GRANTED BY TOWN OF NEW WINDSOR	
MAR 29 2006	
By:	General Manager
By:	Town Board Secretary
PLANNING BOARD NO. 05-28	

William B. Hildreth Land Surveying, P.C. 407 SOUTH PLANK ROAD UNIT 3, NEWBURGH, N.Y. 12550 TEL: (845) 266-6650	
DATE	DESCRIPTION
3/23/06	REVISED PER ZBA APPROVAL

PLAN FOR:	
PATRICK M. CALLAHAN and PHYLLIS CREAGAN	
TOWN OF NEW WINDSOR	ORANGE COUNTY
Drawn: WBH	Checked: WBH
Scale: 1"=20'	Date: 7 Sept. 2005
Job No: 04-075	

R-4 (A-6) ZONE BULK REQUIREMENTS

	REQUIRED	BEFORE LOT LINE CHANGE TAX LOT 17.22	PROVIDED AFTER LOT LINE CHANGE TAX LOT 17.22	BEFORE LOT LINE CHANGE TAX LOT 19	PROVIDED AFTER LOT LINE CHANGE TAX LOT 19
LOT AREA	43,560 S.F.	29,617 S.F.	** 16,783 S.F.	9,690 S.F.	*** 22,524 S.F.
LOT WIDTH	125'	119.5'	* 119.5'	123.9'	* 123.9'
FRONT YARD SETBACK	45'	46.8'	46.8'	14.3'	* 14.3'
SIDE YARD SETBACK	20'/40'	24.3'/68.9'	24.3'/68.9'	35.7'/73.9'	35.7'/73.9'
REAR YARD SETBACK	50'	143.8'	** 32.7'	32.5'	*** 154.2'
STREET FRONTAGE	70'	59.0'	* 59.0'	124.4'	124.4'
BUILDING HEIGHT	35'	< 35'	< 35'	< 35'	< 35'
FLOOR AREA RATIO	N/A	N/A	N/A	N/A	N/A
LIVEABLE FLOOR AREA	1200 S.F.	1250 S.F.	1250 S.F.	1390 S.F.	1390 S.F.
DEVELOPMENT COVERAGE	20%	8.5%	15%	21%	*** 9%

* PRE-EXISTING NONCONFORMANCE UNAFFECTED BY LOT LINE CHANGE
** VARIANCE REQUIRED
*** PRE-EXISTING NONCONFORMANCE DECREASED BY LOT LINE CHANGE
THE TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS, FOLLOWING A PUBLIC HEARING ON 27 FEBRUARY 2006, GRANTED THE VARIANCES REQUIRED FOR THE LOT LINE CHANGE

OWNERS CONSENT

I HAVE REVIEWED THIS PLAN AND FIND IT ACCEPTABLE

Patrick M. Callahan
OWNER TAX LOT 19

OWNERS CONSENT

I HAVE REVIEWED THIS PLAN AND FIND IT ACCEPTABLE

Phyllis Creagan
OWNER TAX LOT 17.22